

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.

Paper No. 20

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

KONRAD HECKL, WALTER SPEVAK, ELINBORG OSTERMANN,
ANDREAS ZOPHEL, EDELTRAUD KRYSTEK, INGRID MAURER-FOGY,
MARIA J. WICH-CASTANON, CHRISTIAN STRATOWA AND RUDOLF HAUPTMANN

Junior Party,¹

v.

JACOB R. HARTMAN AND YAFFA BECK

Senior Party.²

Interference No. 103,862

¹ Application No. 07/944,939, filed September 15, 1992, now Patent No. 5,260,204, issued November 9, 1993. Accorded Benefit of U.S. Application No. 07/167,261, filed March 11, 1988, now Patent No. 5,240,847, issued August 31, 1993; Germany Application Nos. 3708306, filed March 14, 1987; 3717695, filed May 26, 1987; and 3722884, filed July 10, 1987. Assignor to Boehringer Ingelheim International GmbH, Ref. Rep. of Germany

² Application No. 08/686,466, filed July 25, 1996. Accorded Benefit of U.S. Application Nos. 08/370,461, filed January 9, 1995; now Patent No. 5,540,911, issued July 30, 1996; 08/120,951, filed September 14, 1993 (ABN); 07/912,213, filed July 10, 1992, now Patent No. 5,270,195, issued December 14, 1993; 07/453,057, filed December 13, 1989 (ABN); 07/032,734, filed March 27, 1987 (ABN); 06/907,051, filed September 12, 1986 (ABN); and 06/801,090, filed November 22, 1985 (ABN); and Ireland Application No. 2851/86, filed October 29, 1986.

Interference No. 103,862

Before URYNOWICZ, SOFOCLEOUS and DOWNEY, Administrative Patent Judges.

SOFOCLEOUS, Administrative Patent Judge.

JUDGMENT

Heckl et al., the junior party, have filed an abandonment of the contest which, pursuant to 37 CFR § 1.662(a), is treated as a request for entry of an adverse judgment as to all claims which correspond to the count.

Accordingly, judgment as to the subject matter of the count in issue is hereby awarded to Jacob R. Hartman and Yaffa Beck, the senior party. Konrad Heckl, Walter Spevak, Elinborg Ostermann, Andreas Zophel, Edeltraud Krystek, Ingrid Maurer-Fogy, Maria J. Wich-Castanon, Christian Stratowa and Rudolf Hauptmann, the junior party, are not entitled to a patent containing claim 7 corresponding to the count.

STANLEY M. URYNOWICZ, JR.)
Administrative Patent Judge)
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MICHAEL SOFOCLEOUS) BOARD OF PATENT
Administrative Patent Judge) APPEALS AND
) INTERFERENCES
)
)

Interference No. 103,862

MARY F. DOWNEY)
Administrative Patent Judge)

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